

## **Exhibit H**

**Kevin Murphy**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
JOHNN BASCI, et al.,

**AFFIDAVIT OF  
KEVIN MURPHY**

Plaintiffs,

20-CV-00415 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW JERSEY )  
: SS.:  
COUNTY OF OCEAN )

KEVIN MURPHY, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 2320 Hollywood Road, Point Pleasant, New Jersey 08742.

2. I am currently 64 years old, having been born on June 26, 1957.

3. I am the brother of Paul Murphy, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My brother passed away from cancers of the colon and appendix on January 4, 2018, at the age of 54. It was medically determined by the World Trade Center Health Program that these illnesses were causally connected to his exposure to the toxins resulting from the September 11, 2001 terrorist attacks.

5. Paul and I were extremely close growing up. We shared a car and had the same friends. When I moved out of the house and into an apartment, Paul would come to hang out with me. When he joined the Police Department, we grew even closer. There was a period when we drifted apart, but then we reconnected, and our relationship was stronger than ever. We had a

very close and loving bond.

6. Paul was a Lieutenant for the New York City Police Department. On 9/11, he was tasked with searching through buildings at and around Ground Zero and clearing people out from the area. He was right there when the second tower collapsed. I thank God that he wasn't killed in the debris. The family lost contact with Paul for about a day, and we were afraid that he had died. Fortunately, he made it out alive. He worked for another two months at Ground Zero performing search and recovery. Because he was a Lieutenant, he strategized and directed the people underneath him. When describing the scene of Ground Zero to me, he painted a broad-stroked picture of the devastation and sadness. He told me how first responders were walking around in a daze. It weighed really heavily on him. He didn't like to talk about it too much, but he told me how sad the whole thing was.

7. Paul fell ill a while after 9/11. He was on vacation in Mexico when he started to have issues with his stomach. He was becoming unnaturally bloated. He was a very fit, slight man, who did karate and jiu-jitsu. He was muscular, maintained an active lifestyle, and was health conscious. So, it was surprising when he started to have stomach issues. The doctors immediately told him to go get it checked out. Soon after, I received a call from my sister telling me that Paul had cancer.

8. The treatments my brother had to go through were horrific. He did several rounds of intravenous chemotherapy, as well as three abdominal surgeries to administer additional chemo. The operations destroyed his body. The doctors said it was 'the equivalent of getting hit by a garbage truck.' They cut him open, took everything out of his abdominal cavity, and poured boiling liquid chemo into him, which they then scraped out. The surgeries took at least six hours. He had three of these horrifying procedures, because he wanted to do anything he could to stay alive for his family.

9. I sometimes drove Paul into the city for his chemotherapy treatments. I would wait for him and then drive him home. We lived an hour and a half apart, but whenever I could I'd go to visit him, and we'd sit in his backyard and talk. While I felt good to be able to help him like that, it was still heartbreakingly for me to see how ill he had become. It really hit me like a ton of bricks when Paul got sick. I'm in recovery from a substance abuse disorder, and I thank God that I was in recovery before Paul passed. If I was under the influence, it would have been

a lot harder for me and our family. Because I was sober, I could be there for him. I was grateful to be present for my brother, as painful as the whole thing was. I also wanted to be present for Paul's two young daughters, who were devastated by their father's illness and death. It was important for me to help Paul's daughters through their grief.

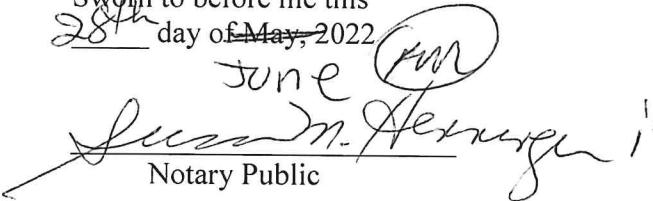
10. Paul was the nicest guy I have ever met. He would do anything for anyone, and I think that's why he became a police officer. He was very giving. He would always put others first. He was altruistic. It was just a pleasure to have him as my younger brother. I wish I could have spent more time with him. I felt like he was ripped out of our lives too quickly. But his love was so strong for everyone else that his memory still lives in our hearts today. It was amazing the impact he had on the world. He was truly a beautiful human being, and I miss him terribly.



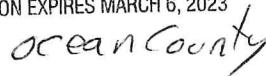
KEVIN MURPHY

Sworn to before me this  
28<sup>th</sup> day of May, 2022

JUNE

  
Susan M. HENNINGER  
Notary Public

SUSAN M. HENNINGER  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES MARCH 6, 2023

  
ocean County

**Richard Murphy**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
JOHNN BASCI, et al.,

**AFFIDAVIT OF  
RICHARD MURPHY**

Plaintiffs,

20-CV-00415 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF GEORGIA        )  
                            :  
COUNTY OF FULTON        )  
                            :  
                            :

RICHARD MURPHY, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 2794 Paces Lookout Lane, Atlanta, Georgia 30339.
2. I am currently 66 years old, having been born on December 2, 1955.
3. I am the brother of Paul Murphy, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.
4. My brother passed away from cancers of the colon and appendix on January 4, 2018, at the age of 54. It was medically determined by the World Trade Center Health Program that these illnesses were causally connected to his exposure to the toxins resulting from the September 11, 2001 terrorist attacks.

5. We were a family of four children, I was the oldest, and Paul was the youngest. We were eight years apart. We grew up in Brooklyn. There were lots of kids on the block, and due to our age gap, we weren't that close as kids. Later, as we became adults, that's when we really bonded and formed a close relationship. We even started our families at the same time.

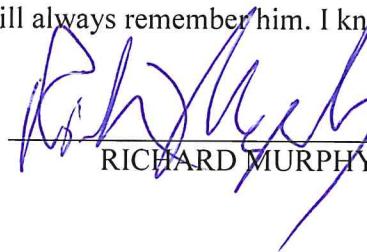
Paul and I had a special relationship for many reasons. He would come to me for advice, and we grew to be best friends. One of the toughest things that I did was move my family from New York to Atlanta for work. I left a lot of family in New York. Paul came down to visit me often. In fact, he was the only sibling who came to my house several times. That helped our relationship grow even stronger.

6. On 9/11, Paul was a Lieutenant with the NYPD, working out of 1 Police Plaza. I was living in Atlanta at the time and desperately tried to reach Paul to no avail. I couldn't reach anyone in the city. The only thing I could do was sit glued to my TV and watch the news. It was not until the next day, around 1:00 p.m., that I finally heard from Paul. He was at the World Trade Center site and very busy. He remained busy there for days following the attacks. I am unsure what Paul's exact duties were during his time at the cleanup sight, but I know he was in charge of managing people. He told me that what he was witnessing at the WTC site was horrific. We grew up in NYC, and he knew people who were lost in the pile, people who died. He was very distraught by it. He was extremely shaken by the situation. But he continued to work. He had to work.

7. Paul's diagnosis came in 2011. I am a pharmacist, and any time Paul had medical concerns, he would call me. When he called, he told me he had a situation and described his symptoms. At that time, he had already seen a doctor for pseudomyxoma peritonei, a rare type of colon cancer. Paul was a fit, thin man, but complained that he had a lot of bloating, which was unusual for him. The bloating was actually the tumor growing.

8. After learning of Paul's cancer diagnosis, I did my research and became an expert in his cancer pretty quickly. I put him in touch with a physician in Washington, DC, who did all the initial research on this kind of cancer. Paul had three surgeries over the course of eight years, and I flew into New York for every one of them. He would call, and I would always be there for him before and after his surgeries. He would have good days and bad days while he had cancer, and I was always there for him. He fought so hard to beat the cancer. It broke my heart for my little brother that he was dealt this hand. I was so happy when Paul was able to come to visit me in Atlanta one Thanksgiving. He was my best friend, and now he's gone. That says it all.

9. Paul was the kind of guy who touched so many people in a wonderful way. He made people laugh and feel good. There are not enough people in this world like him. I don't know of anyone who didn't like Paul or had anything bad to say about him. I think his legacy is the fact that he touched so many lives. People still remember him, not just his close family members but distant friends as well. I think they will always remember him. I know I will.

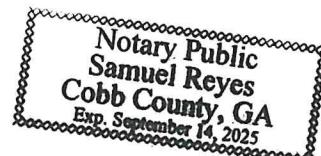


RICHARD MURPHY

Sworn to before me this  
11 day of May, 2022



Notary Public



**Taylor Mary Murphy**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
JOHNN BASCI, et al.,

**AFFIDAVIT OF  
TAYLOR MARY MURPHY**

Plaintiffs,

20-CV-00415 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK )  
: SS.:  
COUNTY OF KINGS )

TAYLOR MARY MURPHY, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 243 73<sup>rd</sup> Street, Apt. 2F, Brooklyn, New York 11209.

2. I am currently 26 years old, having been born on January 31, 1996.

3. I am the daughter of Paul Murphy, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from cancers of the colon and appendix on January 4, 2018 at the age of 54. It was medically determined by the World Trade Center Health Program that these illnesses were causally connected to his exposure to the toxins resulting from the September 11, 2001 terrorist attacks.

5. I was 21 years old at the time of my father's death.

6. My dad and I were very close. We talked all the time. My father was there for all of my dance recitals and gymnastics meets. He always gave me great advice, telling me to follow my passions and be smart about who I was hanging out with. He was loving and caring

and completely involved in my life.

7. My dad was a lieutenant in the New York City Police Department and a first responder after the 9/11 attacks on the World Trade Center. He worked twelve-to-fourteen-hour shifts at Ground Zero, six days per week, for six to eight months after the attacks. I was only 5 years old when these events occurred, so I only knew this information secondhand.

8. On September 8, 2011, my father was diagnosed with a rare, terminal form of colon cancer. I was only 15 years old when my father was diagnosed. He had to have a complicated and dangerous surgery called a cytoreduction with HIPEC. He had this surgery twice. It was very traumatizing having to “say goodbye” to him each time before his surgeries, because we knew he might not make it out on the other end. My father’s suffering spanned 6-1/2 years.

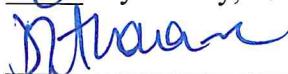
9. During the time my father was ill, I went to college. For the first two years, I didn’t want to go away to college because I wanted to be near my father. But after two years, I wanted to experience college the same way my friends were. I made the difficult decision to leave home for my junior and senior years of college. My dad passed away the January of my senior year. I have always felt guilty about leaving and not spending as much time with my father as I could have in his last months. But at the same time, I had to live my life. And that’s what he wanted me to do.

10. I feel bitter about how everything happened. I’m angry that my father is gone, and that I had to lose him to a senseless act of terrorism. I’m upset that I had to spend so much of my life watching my father wither away, and that I can barely remember the good times before his illness. It was extremely hard for me to watch my father suffer, and those memories will always stay with me. My eyes cannot unsee what happened to my father. I still get emotional thinking about it.



Taylor Mary Murphy

Sworn to before me this  
6 day of May, 2022



Notary Public

DOROTHY ROSE HAASE  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01HA6350432  
QUALIFIED IN KINGS COUNTY  
Commission Expires November 7, 2024

**Kendall Dean Murtha**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

JOHNN BASCI, et al.,

**AFFIDAVIT OF  
KENDALL DEAN MURTHA**

Plaintiffs,

20-CV-00415 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

STATE OF NEW JERSEY )  
: SS.:  
COUNTY OF HUDSON )

X

KENDALL DEAN MURTHA, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 834 Hudson Street, Apt 3A, Hoboken, New Jersey 07030.
2. I am currently 29 years old, having been born on December 29, 1992.
3. I am the daughter of Bennett Andrew Murtha, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.
4. My father passed away from esophageal cancer on October 19, 2016, at the age of 56. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.
5. Growing up, I had a tight-knit family. My father was involved in our activities, especially when he started working from home. He was a crude oil trader for the New York Mercantile Exchange (NYMEX). When NYMEX went virtual, my dad began to work from home. He would drop my sister and me off at school every day and pick us up. We went on regular family vacations and had an incredible father-daughter relationship.

6. On September 11, 2001, my dad was commuting into the city, as he did every day. I was in fourth grade. I remember that he was in the vicinity of the World Trade Center and that he tried to make his way back home after the first plane hit the towers. He still had cell service, and he gave his phone out to anyone who needed to call their family members. He then got in contact with my mom. We didn't hear from him until 6:00 pm, and we didn't know if he was dead, alive, or injured. It was scary and stressful as we waited to hear from him. Fortunately, he was safe. I don't recall how soon he returned to the office, but he returned before the authorities officially declared it was "safe" to do so. There was considerable contamination when my dad returned to his office. He continued working at the NYMEX building (located at 1 North End Avenue) until 2010. He never talked to us about his experiences on 9/11. My sister and I were young, and he didn't want to scare us.

7. When I learned about my father's cancer diagnosis, I was a young adult living my own life. I was living in Jersey City, and I had just graduated college. I came home only once every four to six weeks. One day, my mom sat me down and told me dad was diagnosed with cancer, which the doctors believed was due to exposure on 9/11. I knew many other people who had contracted respiratory illnesses or cancers from 9/11, but I naively didn't think my father would be one of them. My dad was a healthy person; there would be no reason to suspect he had cancer except for his toxic chemical exposure. There was also no history of lung cancer or esophageal cancer in our family.

8. By the time my father was diagnosed with esophageal cancer, it was already Stage IV. I know that he received chemotherapy treatments. I don't remember many of the specifics, but I do remember that he had horrible weight loss. I never knew what emaciated truly looked like until I saw my father go through chemotherapy. I tried to be there for him as much as possible, but it was hard because I had a full-time job in New York City and couldn't take that much time off. My mother and sister would drive my father to and from doctor's appointments and chemo, but I had my driver's license suspended for medical reasons, so I couldn't drive. I visited him often and made weight-gain shakes for him at home. It was hard to watch him try to drink those shakes because he was so thin and barely had any strength to put nutrients in his body.

9. My father's passing came very quickly and unexpectedly. We didn't know the end was coming. I visited him about a week before he passed, as I had started dating someone new and wanted my father to meet him. But my dad refused. He didn't want anyone to see him like that. A week later, I was supposed to go to trivia with my boyfriend, and my mom called me and said that my dad had died. I was only 23 years old at the time. Before my father's death, I had no experience with loss. This was the first time someone was ripped away from me. My father's death was a tragedy that has shaped who I've become since. My mother and sister were a wreck, so I had to step up and become the emotional strength for the family. When my father died, everything started to happen so quickly. I took bereavement leave, but it was only a few days. I had to work on my father's funeral arrangements through my grief.

10. After my father passed, I became acutely aware of my family's financial burdens. My father's medical bills were bankrupting our family. My mother had to liquidate her 401(k), and we were drowning in debt. I was an hourly worker, and I worked overtime to help my mother with the bills. I remember a statement that came through collections from an appendectomy I had in college a few years earlier. I called them to dispute it, saying that the bill had already been paid. However, it hadn't been paid. My mother couldn't get to it because my father's medical bills were wiping her out. That's when I knew I needed to step up and take care of myself and my family.

11. My father was a good man. He was an excellent father to my sister and me. He was the strength of our family. I didn't realize that until he passed because I identified more with my mother. Now, I get waves of grief that randomly overcome me. I'll think I'm okay and then the grief sneaks up on me in unexpected ways. My father will never meet my future children, and I'll never be able to have a father-daughter dance at my wedding if I get married one day. I feel like his passing made my family so much smaller. My father was like the glue that held our extended family together, and when he died, we lost the patriarch who kept the family civil. The anniversary of my father's death, Father's Day, and his birthday are always difficult. Occasionally, I can't remember the exact day that he passed. That gives me a lot of guilt. His death has shaped who I've become—now I'm just a woman with no father. I had such a happy childhood, but his death completely changed my life. Every friend of mine or guy I've dated has had a thriving nuclear family. It's hard for others to understand what it's like to have

no father.

12. When my father passed, his fraternity brothers established the Bennett Murtha memorial foundation at Dartmouth. His friendships were loyal and ran deep. The company he kept spoke volumes about the kind of person he was. He should still be here. He was a healthy man who took care of himself; nothing other than his exposure at Ground Zero would have caused this disease to happen.

  
KENDALL DEAN MURTHA

Sworn to before me this  
26<sup>th</sup> day of June, 2022

Notary Public

STATE OF NEW YORK, NOVEMBER 2021

STEFAN PEREZ TEJERA  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01PE6405218  
Qualified in New York County  
My Commission Expires 03-02-2024



**Kristin Ann Murtha**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
JOHNN BASCI, et al.,

**AFFIDAVIT OF**  
**KRISTIN ANN MURTHA**

Plaintiffs,

20-CV-00415 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF PENNSYLVANIA )  
                          : SS.:  
COUNTY OF PHILADELPHIA )

KRISTIN ANN MURTHA, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 255 South Hutchinson Street, Philadelphia, Pennsylvania 19107.

2. I am currently 26 years old, having been born on January 11, 1996.

3. I am the daughter of Bennett Andrew Murtha, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from esophageal cancer on October 19, 2016, at the age of 56. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. My father and I had a loving father-daughter relationship. We did a lot of things together. We shared a similar sense of humor. People who knew us would always comment about how similar we were. We shared a love of reading, music, and cooking. He would give me book recommendations, and we would listen to music together, everything from classical organ music to Broadway show tunes to vinyl. He taught me a lot about classic rock. My father

taught me all about cooking, and we enjoyed cooking together. We would go to the grocery store, buy all the ingredients, and then make elaborate meals together. My father was always my sous chef.

6. I was in kindergarten at the time of 9/11. My father worked at the New York Mercantile Exchange (NYMEX), located at 1 North End Avenue. I know my father was waiting for the ferry from New Jersey to New York when the first plane hit. He was in the World Trade Center in 1993 when the first attack happened, so he immediately knew it was a terrorist attack. He turned around right away and went home. The cell service in the area was down, and he was one of the only people whose cell phone was still working. He passed his phone around the NJ Transit train car he was in so that everyone could call their families and tell them they were safe. My mom didn't know if my dad was safe until he came home that night. She didn't want to scare me, so she told me, "Dad had a bad day at work. You should give him a hug."

7. My dad returned to work the first day that NYMEX reopened, which I think was the Monday following 9/11. He was in the exposure zone every day after that. My father worked right up until he died. The exchange closed sometime in the late 2000s, so he was actually working from home.

8. In mid-summer 2016, my dad went to have hernia surgery. At the time, I was studying abroad. During my father's surgery, they realized he had metastatic cancer. My parents decided not to tell me about the cancer diagnosis right away but rather wait one month until I came home from studying abroad. When they spoke to me on the phone during my trip, I could tell that something wasn't right. After my trip, my mom picked me up when I landed at the airport. That was the first sign something wasn't right. My mom would never drive to Newark Airport unless it was absolutely necessary. We went to pick up Chinese food for dinner, and when we got home, my dad wasn't there. My mom said, "Dad is in the hospital. He has cancer."

9. I know he was receiving chemotherapy at the hospital, and at one point through a port. He was on fentanyl for the pain, and he was really out of it. Due to the pain, he wasn't in a clear mental state for much of his illness. It was awful. Just the worst thing I've ever seen. It was incredibly upsetting to see the strongest and most vibrant person in my life wither away. He was a strong, healthy man before his illness, but he weighed even less than me by the time he died.

10. For most of my dad's illness, I was away at college at the University of Virginia or studying abroad. I came home as much as I could during the semester. I drove him to and from appointments and cooked for him when I was home. My mom was still working, and my sister was living in New York City, so I wanted to take care of my dad when I could. I would go on walks with my dad if he could walk. I remember washing his hair in the sink on days he didn't feel well enough to shower. I wanted to take care of him when my sister and mother couldn't.

11. Clearly, I'm still affected by his death. I was only 20 years old when my father died. It was incredibly isolating. I have some friends who lost parents, and of course, my sister and mother lost their father and spouse. But my experience with grief felt unique, like no one else could ever relate to. Each person's specific circumstances are awful, and I suffered immensely after my father's death. Even the happy memories hurt me every once in a while. I'm always going to be a little angry that I couldn't say goodbye to him. I'm the only one who wasn't there when he died, and that stays with me.

12. My father was an extraordinary person. As I get older, there are reminders that I'll never see him again. I am in a long-term relationship, and my boyfriend will never get to meet my dad. My dad got to see my sister graduate college, but he never got to see me graduate. I'm starting a Ph.D. program, and I won't be able to share that with my father.

13. I know my dad worked on a charitable foundation for victims of the World Trade Center attacks who were part of NYMEX, which was very rewarding for him. But it was hard for him to talk about 9/11. He wanted to see the 9/11 Memorial in the city, but it was hard for him to go back there.



KRISTIN ANN MURTHA

Sworn to before me this  
11 day of June, 2022



ANNETTE HANSON  
NOTARY PUBLIC OF NEW JERSEY  
Comm. # 50131684  
My Commission Expires 7/22/2025

**Janine Rieling Murtha**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
JOHNN BASCI, et al.,

**AFFIDAVIT OF JANINE  
RIELING MURTHA**

Plaintiffs, 20-CV-00415 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW JERSEY )  
: SS.:  
COUNTY OF SOMERSET )

JANINE RIELING MURTHA, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 14 Hurlingham Club Road, Far Hills, New Jersey 07931.

2. My current age is 61, having been born on June 9, 1960

3. I am the wife of Bennett Andrew Murtha, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My husband passed away from esophageal cancer on October 19, 2016, at the age of 56. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001 terrorist attacks.

5. Bennett ("Ben") and I met when we were freshmen in college, in 1978. We were eighteen years old. We got married when we were 28, in 1985. When he died in 2016, we had been happily married for 28 years. I had known him for more than two-thirds of my life. It was impossible for me to imagine him not being around. We had a wonderful life together and two amazing daughters. We were very much in love and extremely compatible with each other. We

had a beautiful home, and we were best friends. We went to the symphony, out to concerts, and to dinners. We played tennis together and played tennis with our girls, and we loved skiing. When Ben started working from home in 2010, I loved having him in the house every day. We had a wonderful life and a really good relationship even after 28 years of marriage.

6. Ben worked as a commodities trader at the New York Mercantile Exchange, right across from the World Trade Center. He had worked there for years and was there in 1993 when the first terrorist attack on the WTC occurred. So, on 9/11/2001, when he saw the first plane hit the World Trade Center, he knew it was no coincidence. He was on the ferry dock in Hoboken when the plane hit the first tower, and he immediately got on the first train back to our home in central Jersey. But Ben soon had to return to work. He was a self-employed commodities trader, which meant if he didn't return to work, he couldn't make money. NYMEX reopened on 9/17/2001, and he returned to the office as soon as it opened. Emotionally, it was a gut-wrenching experience for him to go to the office each day. He told me about having to walk past the carnage of "the pile" and the smell of ash, burnt concrete, and dead bodies. It was awful. Ben continued to work in person at NYMEX until 2010, when he decided to work from home permanently after the exchange went fully digital.

7. Ben was a healthy person, never had any issues. But in the Spring of 2016, he was having some stomach issues that were bothering him. He had a hernia, so we thought that maybe it had gotten infected. Ben was scheduled to go for laparoscopic surgery in order to repair the hernia. The day of the surgery, I went into work. I soon after got a call from Ben, and he said, "I have some bad news. The doctors don't think it's a hernia, they said it's cancer." Everything happened so fast after that. The primary mass was at the base of his esophagus, leading all the way down to his stomach.

8. One of the hardest parts of Ben's illness was deciding when to tell our daughters. Our younger daughter was overseas in a study abroad program. She left right after we learned of Ben's diagnosis. We didn't tell her about his cancer until she came home—it was a hard decision, but I think it was the right decision. We tried to keep everything normal for our daughters, but they knew something was wrong.

9. It was excruciating to watch Ben's illness progress, especially since his health declined so rapidly. He had a lot of discomfort and couldn't eat due to the tumor. He went through a chemotherapy treatment, which had many negative side effects. Ben was 6'2 and 180

pounds, and, by the time he died, he weighed about 125 pounds. I had to inject him with blood thinners after his chemotherapy, which required me to pinch an area of fat on his abdomen in order to get the needle in. By the end, there was no fat left on his body. They put him on a fentanyl patch, which made him hallucinate. I wasn't prepared for how quickly he deteriorated. He was diagnosed on June 30<sup>th</sup> and died on October 19<sup>th</sup>. It was truly awful.

10. I was Ben's primary caretaker during the course of his illness. I worked for a small bank in New Jersey, and I had to take a significant amount of time off work to take care of my husband. Fortunately, my manager was very understanding. I was constantly running back and forth between the hospital in Morristown, the office, and my home. When Ben fell ill, he had to stop working. Our lifestyle was built on his earnings. He probably brought home \$300,000 to \$400,000 in income per year. We had two big homes and three cars. After he passed, I had to sell the house we had built together. I sold our cars, my jewelry, and many of our other possessions. I moved into a condo by myself. Since Ben's death, I have had to accept my new financial reality.

11. It's been over five years since Ben has passed away. I still miss him every day. I couldn't bear to live in our old home after he died. His death has affected every part of my life. I can't go to church anymore, because we were both very active in the church. So many things in my life now represent loss to me. Going to church around Easter is very difficult, because it's something we used to do as a family. Ben would always sit next to me. We had a wonderful group of friends, about six or seven couples, all with kids around the same age. Now, I can't relate to my friends the way I used to. They don't understand that coming to a social event solo because you have to is different from coming solo because you want to. Sometimes it is just too painful to see my friends.

12. Ben was really special. One of the things he was most proud of was collecting a donation fund at NYMEX for victims of the World Trade Center attacks. He figured out how to set up a fund so that traders on the trading floor at NYMEX could contribute money to those who were directly impacted by the attacks. Sometimes, the irony of it overwhelms me. But Ben was devoted to philanthropy and that fund was one of his proudest achievements. That really stays with me.

13. Lastly, it is hard to know that Ben was taken from his daughters. When he died, they were just getting to the age where they could have had a relationship with him as adults.

Ben has never been able to see how well his daughters have done in life. We try to keep him alive in memory. We talk about him and joke about him all the time. Life is hard without Ben. I have to figure out how I can live on my own.

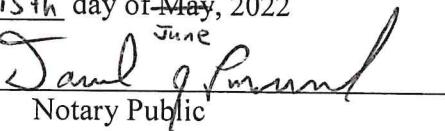


JANINE RIELING MURTHA

Sworn to before me this

15<sup>th</sup> day of ~~May~~, 2022

<sup>June</sup>



Daniel J. Prasnal  
Notary Public



**Angela Muscat**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
JOHNN BASCI, et al.,

**AFFIDAVIT OF  
ANGELA MUSCAT**

Plaintiffs,

20-CV-00415 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X

STATE OF NEW YORK )  
: SS.:  
COUNTY OF NEW YORK )

ANGELA MUSCAT, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 440 East 62<sup>nd</sup> Street, Apt. 11D, New York, New York 10065.

2. I am currently 71 years old, having been born on October 30, 1950.

3. I am the wife of Peter Muscat, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My husband passed away from prostate cancer on January 11, 2010. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001 terrorist attacks.

5. Peter and I had a great relationship, and he was very involved in my life. We raised three children together and have several grandchildren. We also worked together, as I helped him with his store. Peter would also do chores around the house – when things broke, he was the handyman. We were a family. I miss that and the companionship.

6. At the time of the 9/11 attacks, Peter was working at his store in Lower Manhattan and was outside sweeping the sidewalk when he saw what was happening. He was confused about what was going on, and he watched one of the airplanes crash into the World Trade Center. He later was around and saw all the debris that resulted. Peter continued to go to work in Lower Manhattan in the weeks following the attacks whenever he had the ability to open and operate his business as occasionally, the area would be closed.

7. My husband went for his yearly checkup, and the doctors discovered that his PSA levels were high. That is how it all started, and he received his cancer diagnosis in September or October of 2008. He had been a very healthy and energetic man until he became sick with this cancer.

8. After his diagnosis, Peter began taking medications and going for chemotherapy treatments to treat his cancer. I remember him complaining about how his back was hurting him and remember watching him suffer. Watching him suffer made me suffer too. He originally seemed like he was getting better but by May of 2009, we were told his medications were not working. From that point on, his health deteriorated. He continued to work despite his illness.

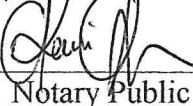
9. I remember one Saturday in December of 2009, my husband came home looking ill, and so I told him that we should go to the emergency room. We spent the whole night there, and Peter underwent various tests. We came home and everything began happening so fast to him – we could not even realize what was going on. I still had hope that he was going to get better though, even until the day he died.

10. The emotional impact of my husband's cancer was very bad for me. He had been a healthy, energetic man. Then, I watched him losing weight and becoming pale – it all happened so fast. I did not know what hit me, especially since he was doing well at first but would then pass within the year.

11. Seeing my husband suffer through his illness made me suffer too. We are a very close family, and it has never been the same without him. I miss him and his companionship.

  
\_\_\_\_\_  
ANGELA MUSCAT

Sworn to before me this  
10<sup>th</sup> day of May, 2022

  
\_\_\_\_\_  
Notary Public

KEVIN LOPEZ  
Notary Public, State of New York  
Registration No. 01L06391399  
Qualified in New York County  
Commission Expires May 6, 2023

**Kevin Peter Muscat**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
JOHNN BASCI, et al.,

**AFFIDAVIT OF  
KEVIN PETER MUSCAT**

Plaintiffs,

20-CV-00415 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X

KEVIN PETER MUSCAT, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 77 Park Road, London, England W43EY.

2. I am currently 47 years old, having been born on December 31, 1974.

3. I am the son of Peter Muscat, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from prostate cancer on January 11, 2010. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001 terrorist attacks.

5. I had a good relationship with my father. Because I lived abroad, my father and I would speak on the phone together almost every day. I also made sure that we organized our vacations so that we could spend them together – him, my mom, and my family. I admired his work ethic, and I think about him every day still.

6. My father had gone to work in Lower Manhattan on the day of the September 11, 2001 terrorist attacks. I remember him commenting to me about how he was standing outside and that it was a beautiful morning. He heard a noise and looked up to see the first plane strike

the North Tower. Immediately, he realized something was wrong. He waited in the area, not knowing what he should do, until the second plane hit the South Tower. He then shut the shudders of his store. When the first tower fell and debris started to fill the air, he immediately started running north to the Chinatown area.

7. He returned back to the area that same day to check on his store, as it was the primary source of income for him and the family. The store was safe, but he was present in the midst of the aftermath – he was one of the people covered in dust. We could not find him for a long time, since there was no cell phone service. It was not until the early afternoon that we located him. Our whole family was frazzled waiting to hear from him since we did not know at that time if he was a victim or not.

8. My dad returned to his store in Lower Manhattan as soon as he could after the attacks in the following several days. His store was very important to him.

9. I heard about my father's illness primarily through my mother, beginning in September or October of 2008. I had returned from London to visit my parents. My oldest son was turning one at that time and there were some mentions about my father's illness. I returned to the United States for another visit in around July of 2009 and by this time, I could see a change in my father's appearance. He seemed more fragile and paler. By the time my second son was born in November of 2009, I could see the real impact. My parents had come to visit us in London around that Thanksgiving. I remember him coming off the plane and hobbling – his health was a lot worse than I expected it to have been, and I knew at that time that things were not looking good. Looking at pictures from this time, you can see how tired he was and how he had difficulty walking, was achy, and had a diminished appetite. In fact, his sense of taste had changed and things he previously liked now tasted bitter to him, such as wine and potatoes.

10. My father had been a healthy, energetic man. Despite undergoing treatments, his health declined and the change in his health seemingly overnight was very difficult for me to see. I had been thankful to have two healthy grandparents for my sons; however, my father would become sick and pass away shortly after my second son was born.

11. His health decline was very stark for me because I saw snapshots of it every couple of months when we would see each other during a visit. It was not an everyday occurrence that I saw my father, so I would see his deterioration at different steps. It was pretty quick over that year that he was sick.

12. The emotional impact of my father's illness and passing was awful for me. It occurred during a very important period of my life. My kids and I still miss him. It was not supposed to happen this way, and it was not the way I had imagined this would happen. He always said he would live to 100, and I thought he would.

13. The last 12 years since he passed have been lost on my kids since they did not get the opportunity to know him. These years are lost on me as well since I no longer have the chance to talk to him. I try to keep him a part of my life every day because I think about him all the time. I still get upset when talking about my father and his experience, and it makes me sad to think about him.



KEVIN PETER MUSCAT

Sworn to before me this  
25<sup>th</sup> day of May, 2022

Notary Public

I hereby confirm this to be a true and  
accurate copy of the original.

Nicola Burke  
General Counsel, Mileway  
SRA Number: 392346

### Certificate Of Completion

Envelope Id: D5E6E0C00493494CA0DFD213A852BBE5 Status: Completed  
 Subject: Please DocuSign: Muscat\_ Peter - Kevin Peter Muscat(CM) -- SIGNED.pdf  
 Source Envelope:  
 Document Pages: 3 Signatures: 1 Envelope Originator:  
 Certificate Pages: 1 Initials: 0 Nicola Burke  
 AutoNav: Enabled Parnassusweg 723  
 Enveloped Stamping: Enabled Amsterdam, Noord Holland 1077 DG  
 Time Zone: (UTC+01:00) Amsterdam, Berlin, Bern, Rome, Stockholm, Vienna Nicola.Burke@mileway.com  
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### Signer Events

Nicola Burke nicola.burke@mileway.com General Counsel Mileway BV, General Counsel Security Level: Email, Account Authentication (None)	<b>Signature</b>  Nicola Burke A0C8403DEEF74E1...	<b>Timestamp</b> Sent: 5/25/2022 8:41:58 PM Viewed: 5/25/2022 8:42:03 PM Signed: 5/25/2022 8:44:17 PM
		Signature Adoption: Pre-selected Style Signed by link sent to nicola.burke@mileway.com Using IP Address: 213.127.113.250

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Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
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Notary Events	Signature	Timestamp
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Payment Events	Status	Timestamps

**Louise Muscat Sigismondi**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
JOHNN BASCI, et al.,

**AFFIDAVIT OF  
LOUISE MUSCAT SIGISMONDI**

Plaintiffs,

20-CV-00415 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK )  
: SS.:  
COUNTY OF SUFFOLK )

LOUISE MUSCAT SIGISMONDI, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 606A Finley Place, Coram, New York 11727.

2. I am currently 45 years old, having been born on August 28, 1976.

3. I am the daughter of Peter Muscat, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from prostate cancer on January 11, 2010. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001 terrorist attacks.

5. I had a good relationship with my father. I was the only daughter, so if you looked in his wallet, my photo was the only one you would find. And when I first moved to Long Island, he came to help me set everything up. He would call me while he was at work. And at this time, I was in graduate school and my lab only had one phone. He would call me there, and I remember joking with him asking if he was bored at work because I had things to do.

6. I remember September 11, 2001 being a beautiful Tuesday morning. My dad was outside his store when he heard or saw the first plane hit the North Tower. He stayed until the second plane hit the South Tower and then decided that he needed to leave the area. He locked up his store and ran to Chinatown, covered in dust. He found a fountain there where he could wash his face. He eventually made his way back to the apartment where he lived with my mother and brother later that afternoon.

7. My father also witnessed people jumping from the towers on September 11, 2001, and this really disturbed him. He was a strong, silent man, but when he spoke, people listened. He recalled snippets of his experience over the years, and this is how I learned of what he saw and went through. He told me that he saw the Towers being built and never imagined seeing them come down.

8. My father returned to his store in Lower Manhattan as soon as he could after the attacks.

9. I learned about my father's illness when my parents came to visit me on Long Island for my newborn daughter's christening or baptism in October of 2008. We went on a walk together and that is when they told me. His PSA levels had increased to an extremely high level basically overnight.

10. My father first began undergoing treatment with medication. His prostate cancer proved hormone resistant, and so the medication did not work. They later started chemotherapy treatments. I saw his pathology scans, and his cancer was in his bones. It was stage IV prostate cancer, and so his complaints of back pain made sense in the context of his cancer spreading to his bones. It spread relatively quickly and had also spread to the base of his skull. He was ineligible to have his prostate removed, one of the treatment options, because the cancer had already spread.

11. My father complained a lot about not being able to sleep and being unable to get comfortable. He was a strong man and did not like to complain, but he would still talk about his different pains. The cancer was rampant and was throughout his body, including his bones. This led to much of the pain he was experiencing.

12. My father's illness and cancer diagnosis had a heavy emotional impact on me. I had a newborn daughter at the time of his diagnosis, and then I was pregnant with my son as he was in the advanced stages of his illness. The last time I saw him was Christmas 2009. My

father would pass away only a few weeks later in January, the same day my son was born. He passed away in the morning, and my son was born later that afternoon. I had even spoken to him that same morning to ask him what I should name my son. It was a very difficult day for me.

13. The time immediately following my father's passing was also very difficult for me. Because I had just had my son, I was unable to participate in the funeral preparations for my father and unable to travel to Malta for his burial. The combination of postpartum depression and grieving over my father's passing was very difficult and heavy emotionally for me.

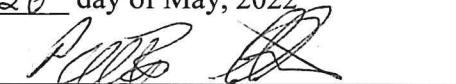
14. Because of my medical and scientific background, and from reviewing his reports, it was hard for me to know how serious my dad's illness was and the fact that he was going to die. But even with this knowledge, the combination of giving birth and not being able to participate in his funeral or burial made me a mess. It was very bad for me. I remember asking my mom in the hospital after my son was born if I should name him after my father, but my mom told me she would be unable to handle that. So, this experience does have long-lasting repercussions for us.

15. My father was an identical twin, and his twin brother is now 78 years old. He is living a wonderful life, and he is perfectly healthy and fine. That could have been my father. The difference between them is environmental – my father got cancer because he was exposed on September 11, 2001, and in the aftermath of the terrorist attacks. If it was not for that exposure that caused his cancer, he could still be alive today enjoying his life and grandchildren just like his identical twin brother. There is a different path that could have happened, but it was taken away from him and from our family.



LOUISE MUSCAT SIGISMONDI

Sworn to before me this  
20 day of May, 2022



Notary Public

PAIGE M. COSTA  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 01CO6405502  
Qualified in Suffolk County  
Commission Expires March 9, 2024